

**APRIL 2021 PRETRIAL CONFERENCE LIST
UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Abbreviated Case <u>Name</u>	<u>Civil No.</u>	Pre-trial <u>Hour</u>
Shkedi v. City of Scranton	14cv2069	9:30
Bennett v. Lopez	17cv2031	10:30
Ortiz v. Mohamed	19cv1433	11:30

* Pretrial Conference date is rescheduled from April 2, 2021 to April 6, 2021

**ORDER
March 1, 2021**

THE FOLLOWING CONSTITUTES JUDGE JONES' PRETRIAL ORDER. COUNSEL IS ADVISED TO READ THE ORDER THOROUGHLY UPON RECEIPT. PLEASE NOTE THAT THIS IS A TIME SENSITIVE ORDER CONTAINING ABSOLUTE REQUIREMENTS RELATING TO THE ABOVE-CAPTIONED CASE.

TABLE OF CONTENTS

- ¶1 Pre-trial Conferences
- ¶2 Jury Composition
- ¶3 Majority Verdicts
- ¶4 Joint Voir Dire Statement
- ¶5 Proposed Voir Dire Questions
- ¶6 Pre-trial Procedure
- ¶7 Motions in Limine

¶8 Late Settlements

¶9 Continuance of Pretrial Conference

¶10 Local Rules

¶11 Pro Se Parties

1. Pretrial Conferences. The final pre-trial conferences in the above cases will be held on **April 6, 2021*** via **Webex** at the times indicated above. A Webex invite will be emailed to counsel of record at a time more proximate to the conference. Lead counsel who expect to try the cases shall participate in the pre-trial conference.

2. Jury Composition. Unless otherwise stipulated, the Court assumes that juries will consist of eight (8) persons.

3. Verdicts. The parties should be prepared to discuss at the pre-trial conference whether they desire a majority or unanimous verdict.

4. Joint Voir Dire Statement. If a case is to be tried to a jury or tried to the Court with an advisory jury, **counsel shall agree upon and sign the briefest possible statement of facts to be read to the prospective jurors at voir dire to ascertain whether any jurors have any knowledge of or interest in the case.** The voir dire statement shall be electronically filed by the Plaintiff's counsel no later than three (3) business days prior to the pre-trial conference.

5. Proposed Voir Dire Questions. Voir dire in civil cases will be conducted by Judge Jones. No later than three (3) business days prior to the pre-trial conference, each party shall file proposed voir dire questions. Each party is limited to twelve (12) proposed questions.

6. Pre-trial Procedure.

6.1 Pre-pre-trial Conference of Counsel. Except as modified by this Order, counsel shall follow Local Rule 16.3 and shall also accomplish the following at the pre-pre-trial conference between counsel:

6.2 Listing, Marking and Submission of Exhibits. Counsel shall mark exhibits Pl, Dl, etc., except where there are multiple defendants separately offering exhibits, in which event their exhibits shall be designated by initials of parties and numbers. The use of letters following the numbers of document, such as D2b, is discouraged. The lists of exhibits shall be on a copy of the Clerk's exhibit list found on the Middle District's website. Multi-paged exhibits shall bear page numbers for quick reference in court. Insofar as practicable, counsel shall number a party's exhibits in similar places on each exhibit. Exhibit lists shall be electronically filed no later than three (3) business days prior to the pre-trial conference.

6.3 Special Verdict Questions. Each party shall submit proposes

special verdict questions. Special verdict questions shall be electronically filed no later than three (3) business days prior to the pre-trial conference.

6.4 Conference of Counsel. The conference between counsel shall be held at least two (2) business days before the final pre-trial conference.

6.5 Pre-trial Memorandum. In accordance with Local Rule 16.6, each party shall electronically file a pre-trial memorandum and serve a copy on all other parties at least seven (7) days prior to the final pre-trial conference. All items required by this or other order of this Court which are not required by Local Rule 16.6 may be added at the end of the Pre-trial Memorandum prescribed by said Local Rule.

6.6 Statement of Undisputed Facts. If the case or any subsidiary aspect thereof is to be tried to the Court without a jury or with an advisory jury, counsel shall attempt in good faith to agree insofar as possible upon a comprehensive written statement of all undisputed facts. The statement shall be divided into serially numbered paragraphs with only one fact allocated to each paragraph. Responsibility for the filing of the stipulation shall rest with the counsel for the Plaintiff or Plaintiffs.

If the case is to be tried only to a jury, counsel are relieved by this

order from the requirement of preparing the comprehensive written statement of all undisputed facts required by Local Rule 16.3 and Appendix B to the Local Rules.

7. Motions in Limine. Written motions in limine shall be electronically filed, with briefs in support, no later than fourteen (14) calendar days prior to the final Pre-trial Conference. Responses shall be electronically filed within seven (7) calendar days of the date that the relevant motion in limine is filed.

8. Late Settlements. Whenever any civil action scheduled for jury trial is settled or otherwise disposed of in advance of the actual trial, jurors' costs, including mileage and per diem, shall be assessed equally against the parties unless the Clerk's Office at the place the trial is to be held is notified of the settlement in sufficient time to permit the Clerk to advise the jurors that their attendance will not be necessary. Notice to such Clerk's Office before 5:00 P.M. on the last business day preceding the day on which the trial of the action is to start shall be adequate for such purpose. Any party may apply to the Court for a different assessment of such costs or relief therefrom.

9. Continuance of Pretrial Conference. A motion for continuance of any final pre-trial conference shall be electronically filed at least ten (10) calendar days prior to the pre-trial Conference.

10. Local Rules. A copy of the current Local Rules may be obtained from the Clerk of the Court or online at <http://www.pamd.uscourts.gov>.

11. Pro Se Parties. Any party who is not represented by counsel shall have all the duties which would normally be placed upon his or her counsel by the Local Rules, this order, and other orders of this Court.

s/ John E. Jones III

John E. Jones III, Chief Judge
Middle District of Pennsylvania
United States District Judge